IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 3944 of 2005

Between:

1 K.Sadanandam, S/o.Bhikshapathi,
2 B.Ramulu, S/o.Seethaiah,
3 P.M.Reddy, S/o.Krishna Reddy
4 B.Sudershan, S/o.Narsimha,
5 E.Balaiah, S/o.Bashaiah,
All are working in APSRTC, Yadagirigutta Bus Depot,

Nalgonda District.
6 M.Narsimha S/o.Tirupathaiah,
APSRTC, Yadagirigutta Bus Depot, Nalgonda District.
7 M.Janaiah, S/o.Peddaiah,
APSRTC, Nalgonda bus Depot, Nalgonda.

..... PETITIONERS

AND

1 The Regional Manager, APSRTC,

Nalgonda Region at Nalgonda.
2 The Depot Manager, APSRTC, Yagadirigutta Bus Depot,

Nalgonda District.
3 The Depot Manager, APSRTC, Nalgonda Bus Depot, Nalgonda.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the respondents in not giving special Grade/Stagnation Increment to the petitioners w.e.f their completion of 12 years of service in APSRTC in total (All Regions) and counting the present region's service

of 12 years for special Grade as arbitrary, illegal, unjust and unreasonable and contrary to the circulars and contrary to the Judgments of this Hon'ble court and consequently direct the respondents to effect 12 years special Grade/stagnation Increment to the petitioners on their completion of 12 years in all regions of the corporation and pass such other order or orders.

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondents: MR.V.T.M.PRASAD

The Court made the following :

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents-Corporation in not granting special grade/stagnation increments to the petitioners after completion of 12 years of their service in APSRTC as arbitrary and illegal.

The case of the petitioners is that they completed 12 years of service in the respondents-Corporation and they are entitled to the stagnation increment. As the Special Grade/stagnation increments have not been sanctioned to them, this writ petition is filed.

The learned counsel for the petitioners has contended that the total service rendered by the petitioners in the Corporation has to be taken into consideration for granting stagnation increments/Special Grade.

On the other hand, the learned counsel for the respondents has contended that as the petitioners have not completed 12 years of service in a particular region, they are not entitled to such benefits.

This Court, in W.A.No.1301 of 2000, dated 20-10-2002, held that it is the total service rendered by the petitioners in the Corporation that counts but not in the division or region. Following the above judgment, the total service of the petitioners has to be taken into consideration in granting stagnation increments/Special Grade.

Therefore, the respondents are directed to consider the case of the petitioners for granting stagnation/Special Grade increments, considering the total service rendered by them in the Corporation, within a period of two months from the date of receipt of a copy of this order.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

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02-03-2005

vs

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To

1 The Regional Manager, APSRTC,

Nalgonda Region at Nalgonda.
2 The Depot Manager, APSRTC, Yagadirigutta Bus Depot,

Nalgonda District.
3 The Depot Manager, APSRTC, Nalgonda Bus Depot, Nalgonda.

4 2 CD copies

5 1 CC to MR.VENKATESWAR RAO